

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

FANTASIA HILLIARD, TYNIA
BAISDEN, TODD BOMBERGER,
TANYA JACKSON, JASON KIRSCHNER,
CECILIA SMITH, and LEONARD
TYSON,

No. C 23-04285 WHA

Plaintiffs,

**ORDER TO REMAND TO STATE
COURT**

v.

NRRM LLC, AMERICAN AUTO SHIELD
LTD, AMERICAN AUTO SHIELD INC.,
AMERICAN AUTO SHIELD LLC,
BRAYAN HAYES, NATHANIAL
HERMAN, RIVER MOSELY, and
SINCERE WADE,

Defendants.

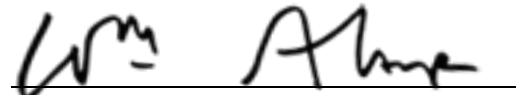
On behalf of NRRM LLC and “CarShield” enterprise, defendants sent spam emails — through a network they hired — to individual plaintiffs in California, who now seek to hold all wrongdoers accountable. The spam emails purported to be sent by individuals living in California. For example, one email purported to be from Nathaniel Herman at 76 Academy Street, Pomona CA 91768. Plaintiffs naturally sued the purported actual senders, including Nathaniel Herman, as well as the power behind it all, NRRM LLC.

This suit was filed in California state court. NRRM removed to federal court, saying its own fictitious senders never existed and therefore were “fraudulently joined,” so removal should be allowed on the basis of diversity of citizenship, NRRM being in Missouri.

1 Too clever by half, this scheme. NRRM itself employed a spam operation using
2 fictitious email senders in California and is hereby estopped to claim that its own fictitious
3 network of California spammers was fraudulently joined. NRRM must now live with the
4 consequences. The motion to remand is **GRANTED**. The Clerk shall serve this action back to
5 state court. The motion for attorney's fees is **DENIED**. The motion to dismiss is **DENIED AS**
6 **MOOT**.

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8 **IT IS SO ORDERED.**

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10 Dated: October 26, 2023.

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13 WILLIAM ALSUP
14 UNITED STATES DISTRICT JUDGE
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